

REQUEST FOR FILING A PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)
Attorney Docket: 029065.48666C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

This is a request for filing a continuation application under 37 C.F.R. 1.53(b), of pending prior application:

Serial No. 09/956,095

Filed on September 20, 2001

Of Marc G. ACHEN et al.

Entitled: METHODS FOR TREATING NEOPLASTIC DISEASE
CHARACTERIZED BY VASCULAR ENDOTHELIAL GROWTH
FACTOR D EXPRESSION, FOR SCREENING FOR NEOPLASTIC
DISEASE OR METASTATIC RISK, AND FOR MAINTAINING
VASCULARIZATION OF TISSUE

Examiner: P. HUYNH

Group: 1644

- X 1. Accompanying this order is a true copy of the prior application as originally filed including 44 claims (89 pages), Sequence Listing (Pages 1-6) and 21 Sheets of Formal Drawings showing Figs. 1-20.
2. New Formal drawings are being filed herewith consisting of sheet(s), depicting Figures .
- X 3. Declaration and Power of Attorney:
- a. Newly executed (original or copy)
- b. X Copy from prior application
- i. Deletion of Inventors - signed statement attached deleting inventor(s) named in the prior application
- X 4. Incorporation by Reference:

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3b, is considered as

being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

5. Cancel original claims ____ .
6. Small entity status:
- a. ____ A small entity statement is enclosed
- b. ____ A statement of small entity status (copy attached) was filed on ____ in the prior application and status as a small entity is still proper and desired.
- c. ____ Is no longer claimed
- X 7. Please enter the attached Preliminary Amendment prior to calculation of the filing fee.

**CLAIMS AS FILED, INCLUDING ANY CLAIMS
CANCELLED OR ADDED BY PRELIMINARY AMENDMENT**

Basic Fee				<u>\$375</u>	<u>\$750</u>
Total Claims	<u>29</u>	- <u>20</u>	= <u>9</u>	x <u>9</u> = \$	<u>18 = \$ 162</u>
Ind. Claims	<u>6</u>	- <u>3</u>	= <u>3</u>	x <u>42</u> = \$	<u>84 = \$ 126</u>
	<u>Multiple Dependent Claims</u>		<u>+</u>	<u>140</u> = \$	<u>280 = \$</u>
			<u>Total</u>	<u>\$</u>	<u>\$1,038.00</u>

- X 8. Please charge my Deposit Account No. 05-1323 (Docket # 029065.48666C1) in the amount of \$ 1,038.00.
- ____ 9. A check in the amount of ____ to cover the filing fee is enclosed.
- X 10. The Commissioner is authorized to charge any fee which may be required under 37 CFR 1.16 or 37 CFR 1.17 or credit any overpayment to Deposit Account No. 05-1323 (Docket #029065.48666C1).
- X 11. Amend the specification by inserting before the first line the sentence: --This application is a continuation of application Serial No. 09/956,095, filed September 20, 2001---
- X 12. Benefit is hereby claimed under 35 U.S.C. §120 of prior U.S. patent

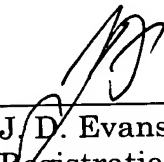
application Serial Nos. 09/956,095 filed September 20, 2001;
09/796,714 filed on March 2, 2001; 60/186,361, filed March 2, 2000
and 60/234,196, filed September 20, 2000.

13. A certified copy of each said priority document was filed in application Serial No. on .
- X 14. The prior application is assigned of record to Ludwig Institute for Cancer Research. The assignment was recorded on February 5, 2002 at reel 012562, frame 0136.
- X 15. The power of attorney in the prior application is to:
- Herbert I. Cantor, Reg. No. 24,392; James F. McKeown, Reg. No. 25,406; Donald D. Evenson, Reg. No. 26,160; Joseph D. Evans, Reg. No. 26,269; Gary R. Edwards, Reg. No. 31,824; and Jeffrey D. Sanok, Reg. No. 32,169.
- X a. The power appears in the original application papers in the prior application.
- X b. a copy of the executed power of attorney as submitted in the prior application is enclosed.
- c. Attached is a duplicate of a Supplemental Declaration which was filed in the prior application to overcome informalities.
- X d. Address all future correspondence to:
- J. D. Evans
CROWELL & MORING, LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
- X 16. An Information Disclosure Statement and Form PTO-1449 are submitted herewith.
17. A Preliminary Amendment is being filed herewith.
- X 18. Return Receipt Postcard.
- X 19. Other: Request for Transfer of Computer Readable Form of Sequence Listing and Application Data Sheet

Please note that a Petition for a three-month extension of time is also being submitted today (July 28, 2003) in parent application Serial No. 09/956,095, filed September 20, 2001.

Respectfully submitted,

July 28, 2003



J. D. Evans
Registration No. 26,269

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